




Leon L. Williams
San Diego County
Human Relations Commission
December 15, 2020




CALL TO ORDER and ROLL CALL

A photograph of a public fountain in an urban park. Water is spraying upwards from a series of low concrete walls. In the background, a large, classical-style building with columns is visible under a clear blue sky. A white rectangular box is superimposed over the center of the image, containing the text "Public Comment".

Public Comment



Approval of Minutes for September
22, 2020, October 6, 2020, October
20, 2020, October 22, 2020,
November 10, 2020, November 24,
2020, and December 1, 2020
Agenda Item 4



Discussion of community raised
matters relating to the
Commission promoting positive
human relations

Agenda Item 5

The background image shows a vibrant city park scene. In the foreground, a large, active fountain with multiple water jets is the central focus, with water droplets captured in mid-air, creating a dynamic and refreshing visual. Behind the fountain, a wide, paved walkway leads towards a large, classical-style building with prominent columns and a pediment. The building is partially obscured by lush green trees and foliage. To the left, a modern glass skyscraper is visible in the background. The sky is a clear, bright blue. The overall atmosphere is one of a well-maintained, lively urban space.

Presentation on the Citizen's Law Enforcement Review Board (CLERB)

Agenda Item 6



Citizens' Law Enforcement Review Board (CLERB)

Overview

Paul R. Parker III
CLERB Executive Officer

County Charter Section 606

- ▶ The Board of Supervisors (“Board”), by ordinance, shall establish the duties of the CLERB and its duties may include:
 - Receive, review and investigate citizen complaints which charge **peace officers or custodial officers employed by the Sheriff’s Department or the Probation Department** with:
 - excessive force,
 - discrimination or sexual harassment,
 - improper discharge of firearms,
 - illegal search or seizure,
 - false arrest,
 - false reporting,
 - criminal conduct, or
 - misconduct, defined as
 - An alleged violation of any general, standing, or special orders or guidelines;
 - An alleged violation of any state or federal law; or
 - Any act otherwise evidencing improper or unbecoming conduct.

County Charter Section 606

- ▶ The Board, by ordinance, shall establish the duties of the CLERB and its duties may include:
 - Review and investigate the death of any individual arising out of or in connection with actions of peace officers or custodial officers (with or without a signed complaint)
 - Prepare reports...on the results of any investigations conducted by CLERB in respect to the activities of peace officers and custodial officers, including recommendations relating to...any trends in regard to employees involved in citizen complaints.
 - Prepare an annual report...summarizing the activities and recommendations of the CLERB, including the tracking and identification of trends in respect to all complaints received and investigated during the reporting period.
 - Review and make recommendations on policies and procedures of the Sheriff and the Probation Officer.
 - Perform such other duties as the Board, by ordinance, may assign to the CLERB.


2020 Board of Supervisors Amended County Ordinance

- ▶ On June 23, 2020, the Board approved a series of actions to increase independence and strengthen oversight of CLERB.
 - To further its independence and to eliminate any appearance of impropriety, CLERB was re-assigned from the County's Public Safety Group, the home of several public safety agencies, to include the Sheriff's Department and Probation Department, to the County's Finance and General Government Group.
 - Directed CLERB to revise its board member nomination and selection process to one that is more transparent to the public and incorporates community input as part of the process.
 - Directed an evaluation of CLERB's workload and responsibilities, which resulted in the addition of a newly created Supervising Special Investigator position and two new Special Investigator positions, doubling its investigative workforce from three to six.


2020 Board of Supervisors Amended County Ordinance

- ▶ As the Board may direct CLERB to undertake additional duties by ordinance, it amended Section 340.9 of the Code of Administrative Ordinances to reflect additions to CLERB's oversight role, including the authority to investigate the following without the need for a citizen complaint (effective December 17, 2020):
 - incidents involving the discharge of a firearm by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department;
 - the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department resulting in great bodily injury; and
 - the use of force by peace officers or custodial officers employed by the County Sheriff's Department or the Probation Department at protests or other events protected by the First Amendment.

Litigation involving CLERB

- ▶ Dibb v. County of San Diego (1994)
 - ▶ Caloca v. County of San Diego (1999)
 - ▶ Caloca v. County of San Diego (2002)
- 

Litigation impacting CLERB

- ▶ San Diego Police Officers Association v. City of San Diego Civil Service Commission (2002)
 - ▶ Davis v. City of San Diego (2003)
 - ▶ The Copley Press, Inc. v. The Superior Court of San Diego County (2006)
 - ▶ Jon Mays v. City of Los Angeles (2008)
 - ▶ Berkeley Police Association v. City of Berkeley (2008)
- 

The Complaint Investigation Process

- ▶ All investigated complaints are filed and signed under penalty of perjury
- ▶ Subpoena power
- ▶ Complainants and witnesses are interviewed, if available
- ▶ Evidence, mostly documentary, is received from the complainant, the responding department, and other sources
- ▶ Incident scenes are visited, as appropriate



The Complaint Investigation Process

- ▶ Peace officers are questioned in writing or in face-to-face interviews, as needed
- ▶ Applicable Department policies, relevant codes, and case law are researched
- ▶ If appropriate, further legal research is conducted by County counsel or contract attorney
- ▶ Photographs are taken and diagrams are created, when needed



The Complaint Investigation Process

- ▶ Detailed investigative reports are prepared for the CLERB with Recommended Findings and the Rationale used to determine the Finding
- ▶ The case is placed on calendar for the next CLERB meeting
- ▶ CLERB members review each Investigative Report
 - Where potential questions arise, the assigned investigator should be contacted in advance of the meeting date to attempt to clarify or resolve questions



How does Staff Arrive at the Recommended Findings?

- ▶ Established by a ***preponderance of the evidence***, the following definitions apply:
 - **Preponderance of the evidence:** This preponderance is based on the more convincing evidence and its probable truth or accuracy, and not on the amount of evidence.
 - Preponderance of the evidence is required in a civil case and is contrasted with "beyond a reasonable doubt," which is the more severe test of evidence required to convict in a criminal trial.



Findings

- ▶ ***Unfounded:*** The investigation shows that the alleged act or conduct did not occur
- ▶ ***Action Justified:*** The investigation shows that the alleged act or conduct did occur but was lawful, justified and proper.
- ▶ ***Not Sustained:*** The investigation fails to support the allegation, but the allegation cannot be shown as false. There is insufficient evidence to either prove or disprove the allegation.



Findings

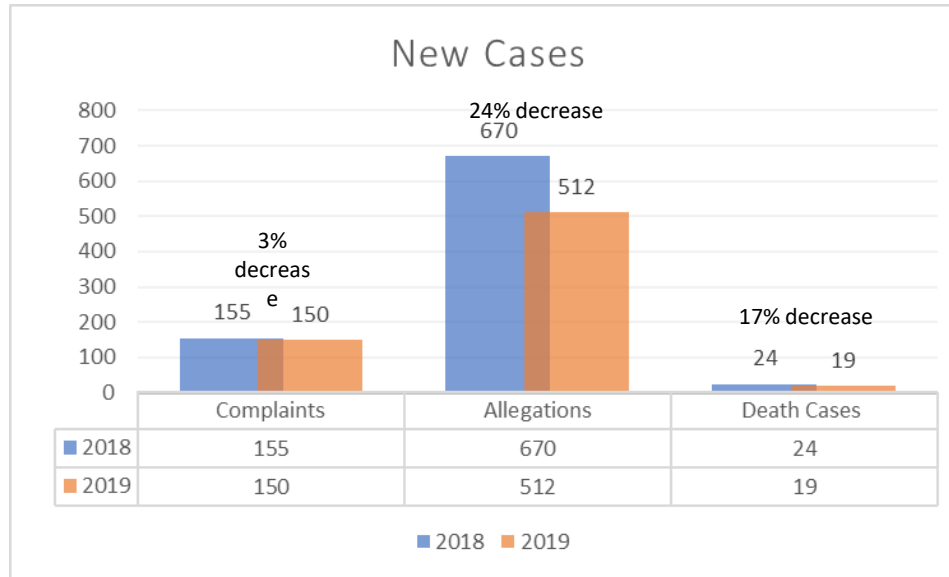
- ▶ ***Sustained***: The investigation supports the allegation and the act or conduct was not justified (or was not legal or proper).
- ▶ ***Summary Dismissal*** is appropriate when:
 - The CLERB does not have jurisdiction over the subject matter of the Complaint;
 - The CLERB does not have jurisdiction because the Complaint was not timely filed; or
 - The Complaint is so clearly without merit that no reasonable person could sustain a finding based on the facts.

CLERB Meetings

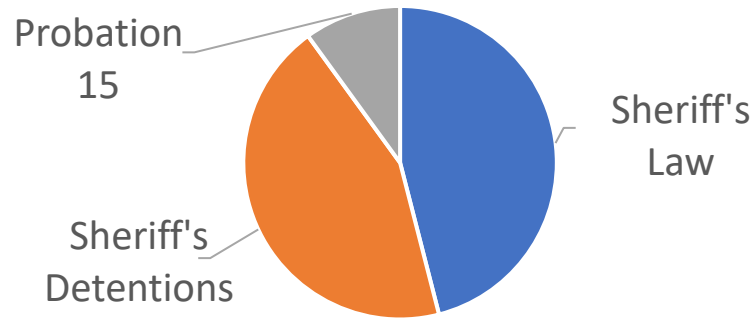
- ▶ It is the CLERB's responsibility to judge every case on the evidence, rules and law that apply to it alone
- ▶ Personal experiences or individual beliefs generally should have no bearing on how any case is decided
- ▶ Public statements by CLERB members on factors not in evidence can send the wrong message to the public that CLERB members are biased



2019 Annual Report Summary

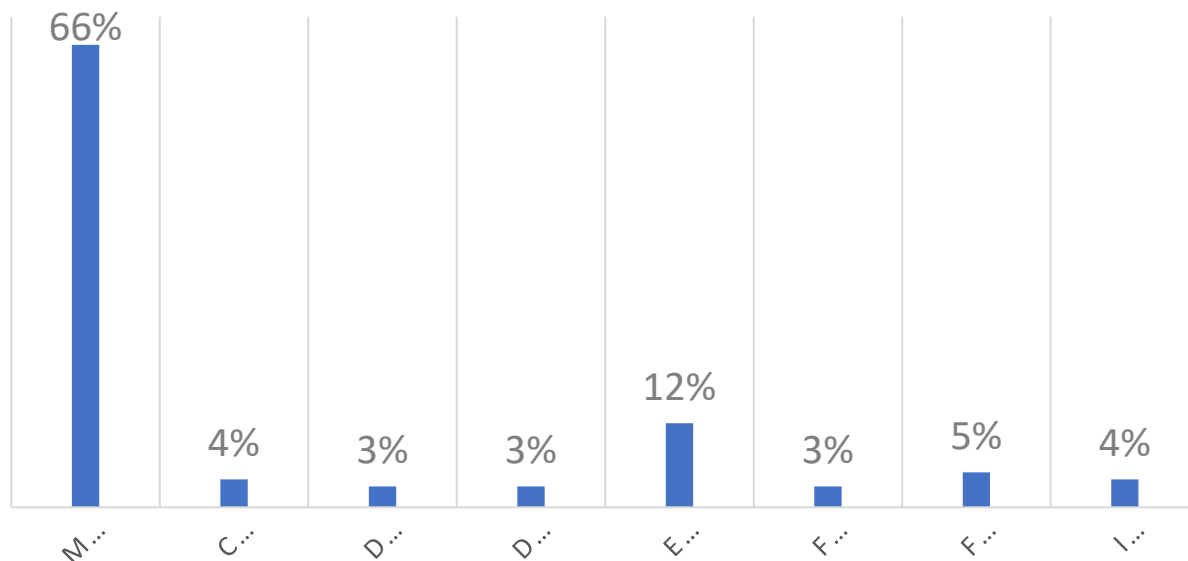


Annual Report: Complaints



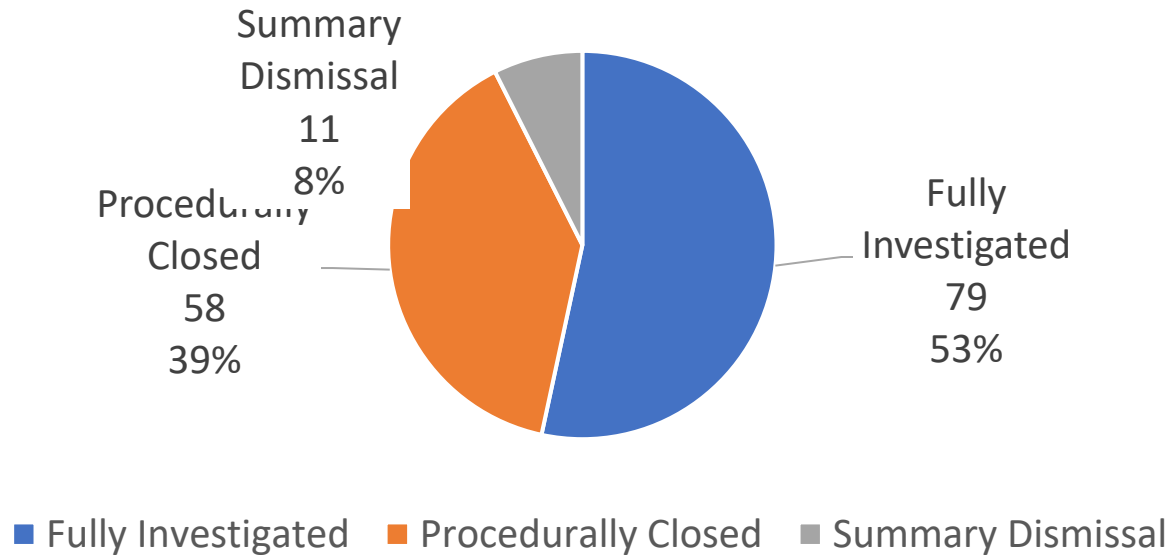
- Sheriff's Law Enforcement
- Sheriff's Detentions
- Probation

Annual Report: Allegations as a Percentage



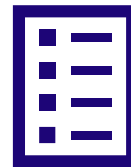
*Misconduct includes discourtesy, harassment, intimidation, medical, procedure, retaliation, truthfulness

Annual Report: Closures



Annual Report: Summary

- Eight Policy Recommendations
- 19 Death Investigations
- Outreach activities
 - 8 public presentations
 - 6 training opportunities



Civilian Oversight of Law Enforcement

- ▶ CLERB has evolved into a very effective model of civilian oversight and is a positive example for others around the country.
- ▶ We all have a stake in and a responsibility to maintain the high standards that have been established. This might require more time for some, but the results of CLERB Staff and CLERB Member labors are well worth the effort.



Questions?

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Executive Officer
Citizens' Law Enforcement Review Board
555 West Beech Street, Suite 220
San Diego, CA 92101

(619) 238-6776 office

(619) 238-6775 fax

www.sdcounty.ca.gov/clerb





Development of Mission Statement
for Office of Equity and Racial Justice
– Update from Ad Hoc Committee

Agenda Item 7

Mission Statement Ad Hoc Committee

- Estela De Los Rios
- Eleanor Evans
- George Khoury
- Ellen Nash
- Griselda Ramirez
- Gina Roberts
- Samuel Tsoi
- Daphyne Watson





Leon L. Williams San Diego County Human Relations Commission

December 15, 2020



Agenda



- Meeting Purpose
- Our Journey & Timeline
- Existing information on County concerns of equity
- Wrap Up
- Checkout Reflection



Agenda



Meeting Purpose

Our Journey & Timeline

Existing information on County concerns of equity

Wrap Up

Checkout Reflection



Meeting Purpose



- Provide project updates
- Reflect back learnings from Ad Hoc Committee & existing information about trends and patterns in County inequalities
- Solicit outreach feedback



Agenda



Meeting Purpose

Our Journey & Timeline

Existing information on County concerns of equity

Wrap Up

Checkout Reflection



Our Journey & Timeline



Baseline Meeting

consisting of

Best practices review

County reports/documents

Community survey #1 → San Diego County engagement

HRC Meetings

Dec. Jan. Feb.

Ad Hoc Committee Meetings

2 in December, at least 2 in
January/February

Horizon Meeting

produces first draft of mission

Community Survey & 4 Focus Groups

Seeking feedback about mission statement



Taking Pause to Pivot from Survey #1



Purpose of Community Survey #1

- Create foundation of the mission statement development in appraisal of community needs and a demonstration of community engagement

Discussion/Reflection from AdHoc Committee Meetings

- Some community members feel “survey fatigue” or see surveys as extractive process without practical outcomes
- Community members may feel this way, but the community is “waiting to hear from us [HRC]”

Not contradictory points with respect to decision

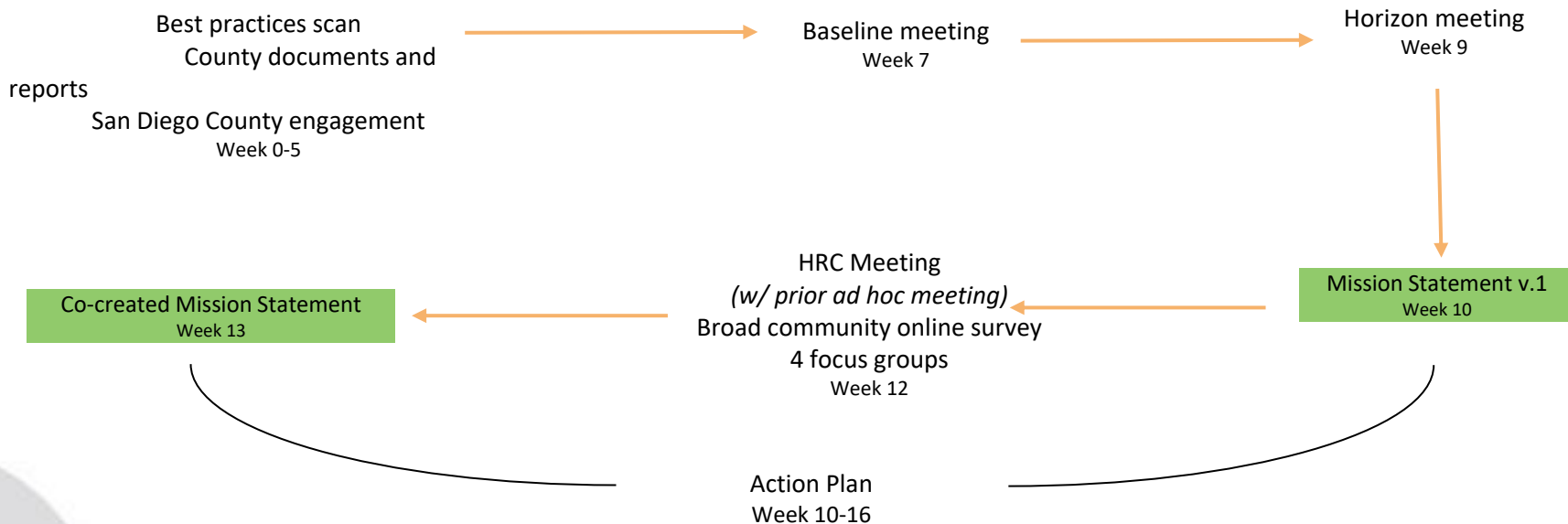
- Holiday season for community survey may be regarded as disingenuous attempt to engage with community
- We can locate information to root our project with you by tapping into your collective expertise and knowledge
- Our community needs survey would be more narrow than that which the HRC may conduct as part of separate effort & we don't want to duplicate asks of community members



Taking an Eagle's Eye View



Developing the mission statement





Shared Offerings



San Diego County Human Relations Commission & AdHoc Committee

- Invest in the foundational phase of the OERJ
- Ensure diverse needs of County residents are represented in OERJ
- Create a sense of community agency and belonging within the OERJ

UPD

- project management
- action planning
- engagement
- research support
- facilitation

Othering & Belonging Institute

- conceptual framework
- belonging implementation
- community based research
- community engagement
- action planning



Agenda



Meeting Purpose
Our Journey & Timeline

Existing information on County concerns of equity

Wrap Up
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San Diego County Landscape

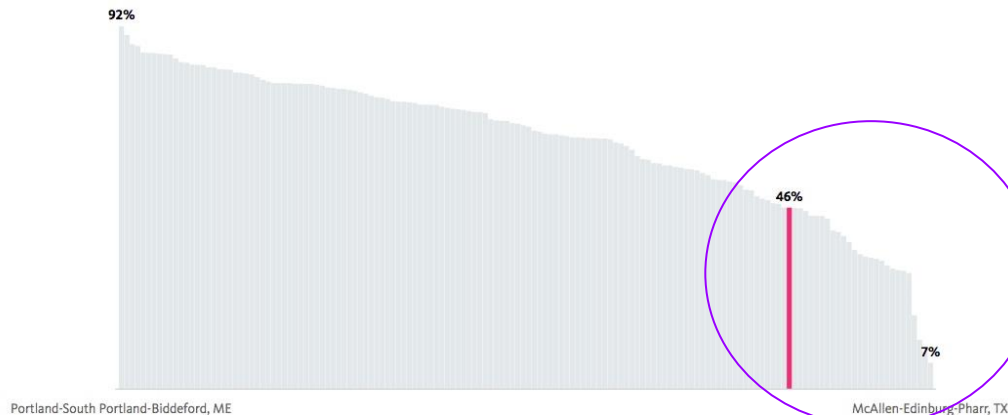


San Diego County is labeled in census data as “San Diego-Carlsbad-San Marcos, CA

Race/ethnicity 📍 San Diego-Carlsbad-San Marcos, CA

Population by race/ethnicity, ranked: San Diego-Carlsbad-San Marcos, CA; **Race/ethnicity:** White; **Year:** 2017

BREAKDOWN **FILTERS:** **RACE/ETHNICITY** **YEAR**   



All southern Metropolitan Statistical Areas (MSAs) & many cross-border metropolis

WHAT IT SHOWS

WHY IT MATTERS

Data source: U.S. Census Bureau; Woods & Poole Economics, Inc. | National Equity Atlas

Who lives here and how are demographics changing? In 2017, Portland-South Portland-Biddeford, ME (92%) had the largest White population (as a share of the total population), and McAllen-Edinburg-Pharr, TX (7%) had the smallest White population.



San Diego County - Community

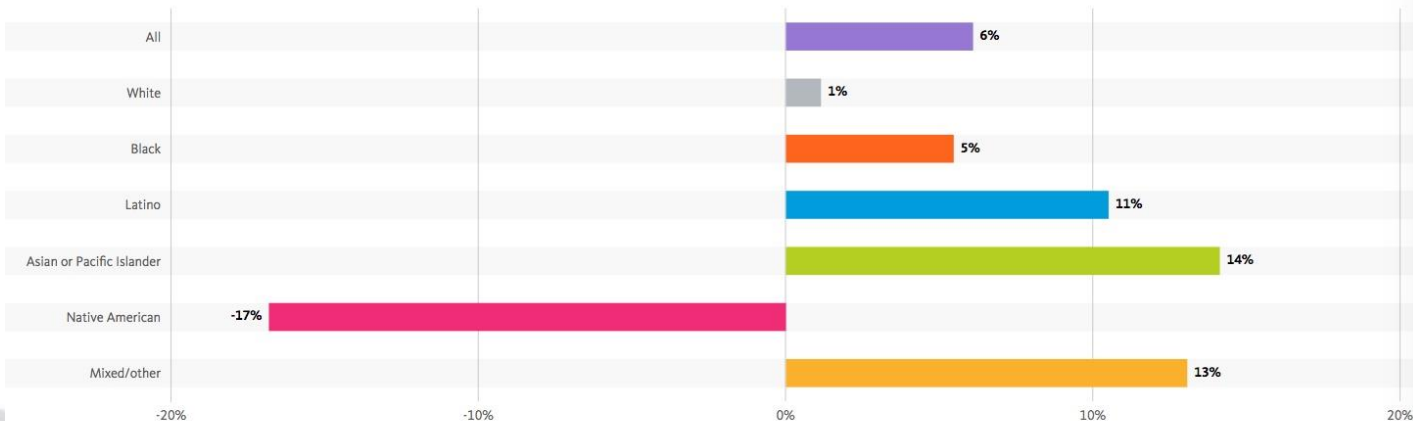


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Population growth 📍 San Diego-Carlsbad-San Marcos, CA

Percent change in population by race/ethnicity: San Diego-Carlsbad-San Marcos, CA; Year: 2010-2017

BREAKDOWN FILTERS: YEAR



2017 Demographics of San Diego County

46% White
5% Black
33% Latino
12% AAPI
4% Mixed/Other

WHAT IT SHOWS WHY IT MATTERS

Data source: U.S. Census Bureau; Woods & Poole Economics, Inc. | National Equity Atlas

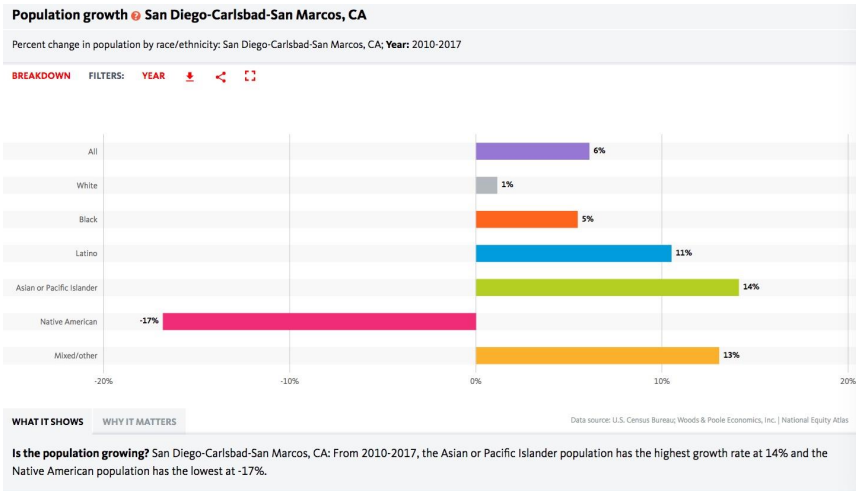
Is the population growing? San Diego-Carlsbad-San Marcos, CA: From 2010-2017, the Asian or Pacific Islander population has the highest growth rate at 14% and the Native American population has the lowest at -17%.



San Diego County Landscape



San Diego County is labeled in census data as “San Diego-Carlsbad-San Marcos, CA



Wealth Projections of Non-White Groups

2017

by 2020 median Black and Latino households to lose nearly 18% and 12% of wealth held in 2013 while White household wealth increases by 3%

Black household wealth projected to hit zero by 2053
Latinoa household wealth to reach 0 by 2073

1992 racial wealth gap \$100,000

2016 \$154,000

no growth in Black households in this period

\$1 trillion - \$1.5 trillion loss to GDP between 2019 and 2028

Institute for Policy Studies 2017,
<https://ips-dc.org/report-the-road-to-zero-wealth/>

McKinsey, 2016
<https://www.mckinsey.com/industries/public-and-social-sector/our-insights/the-economic-impact-of-closing-the-racial-wealth-gap#>

CitiGroup, 2020
<https://www.citivelocity.com/citigroup/closing-the-racial-inequality-gaps/>



San Diego County Landscape



San Diego County is labeled in census data as “San Diego-Carlsbad-San Marcos, CA”

Average annual income for all people of color would **increase by \$14,696 or 53% with racial equity in income.**

% GDP with racial equity in income is highest in DC at 55%, the next highest is California with 35%.

Racial equity in income 📍 San Diego-Carlsbad-San Marcos, CA

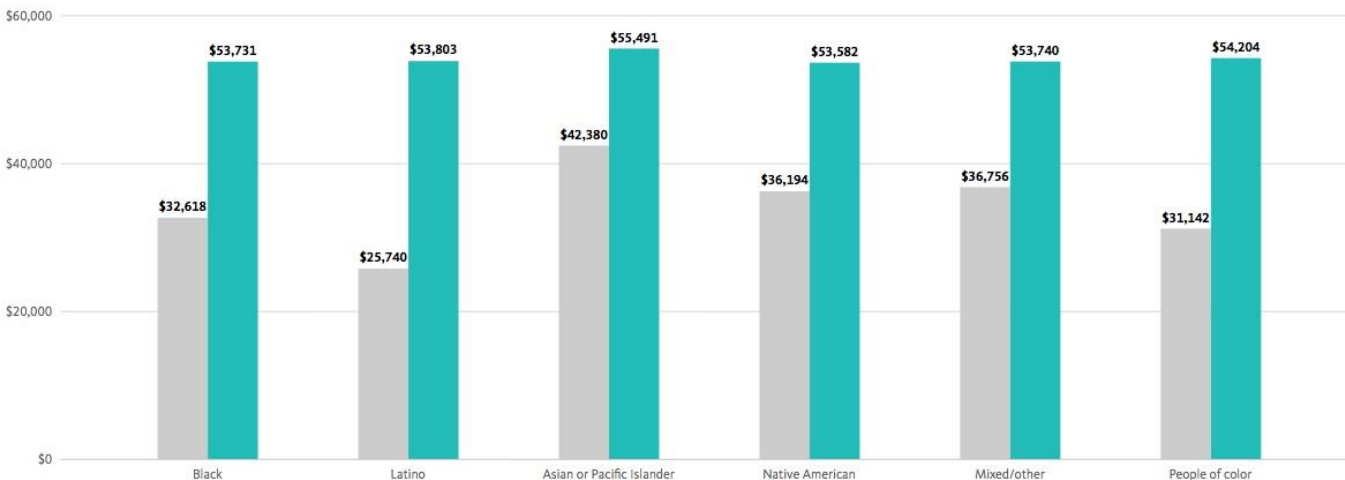
Income by race/ethnicity: San Diego-Carlsbad-San Marcos, CA; Year(s): 2017

■ Average income ■ Average income with racial equity

BREAKDOWN

FILTERS:

YEAR(S)



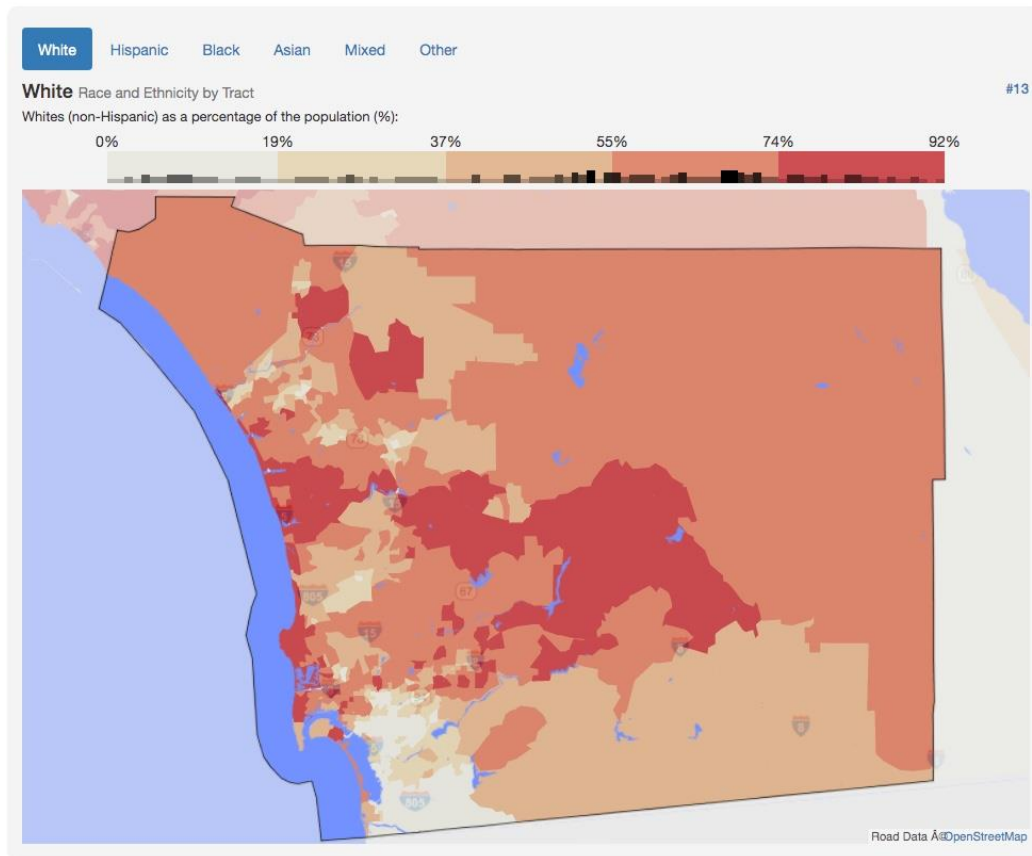
WHAT IT SHOWS

WHY IT MATTERS

Data source: IPUMS USA | National Equity Atlas



San Diego County Community Landscape

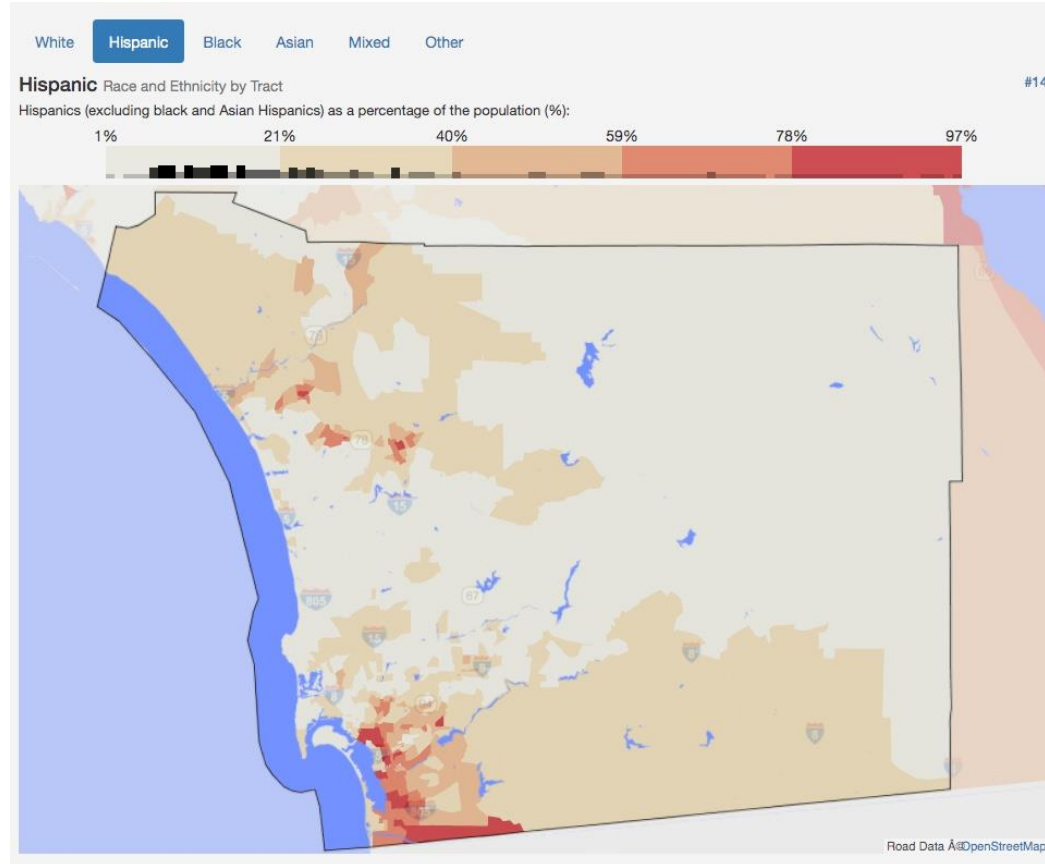


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San Diego County Community Landscape

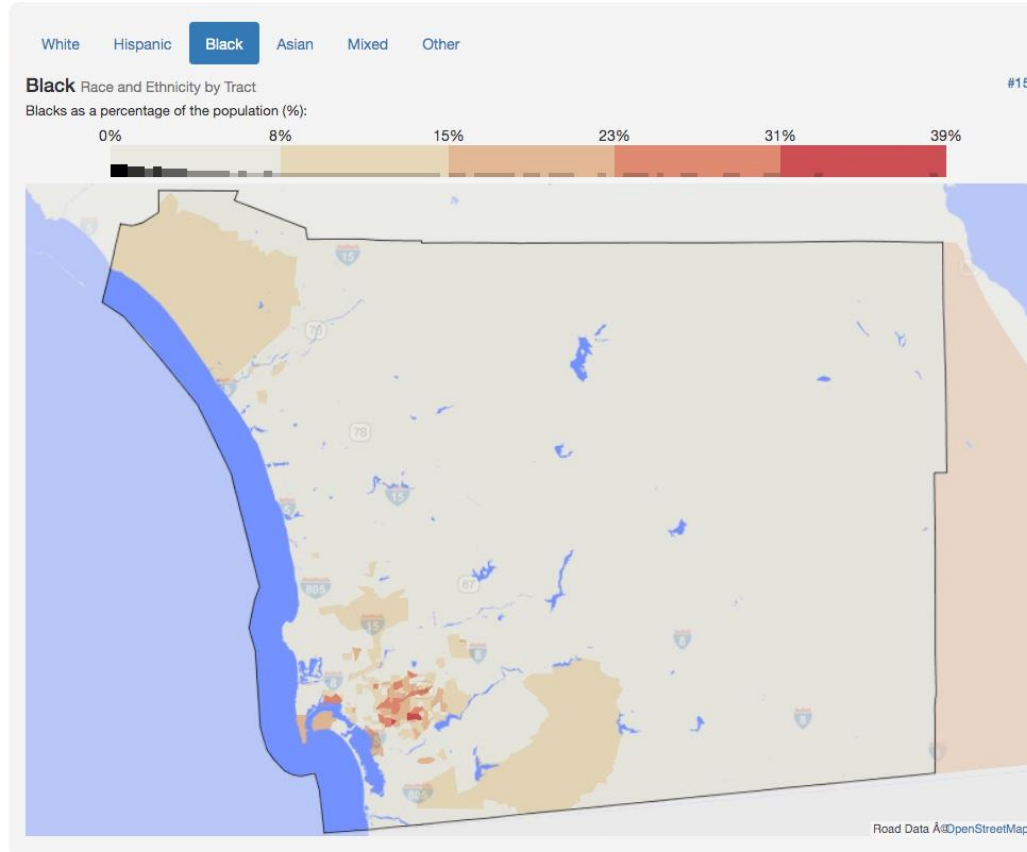


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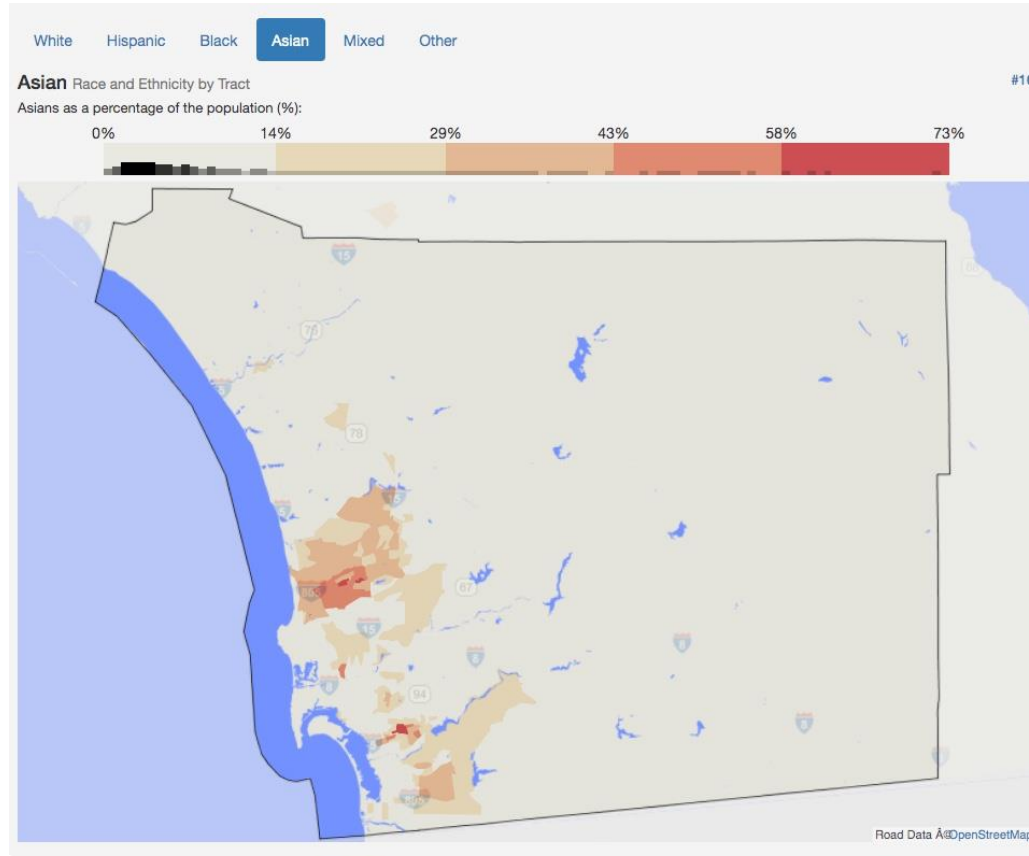


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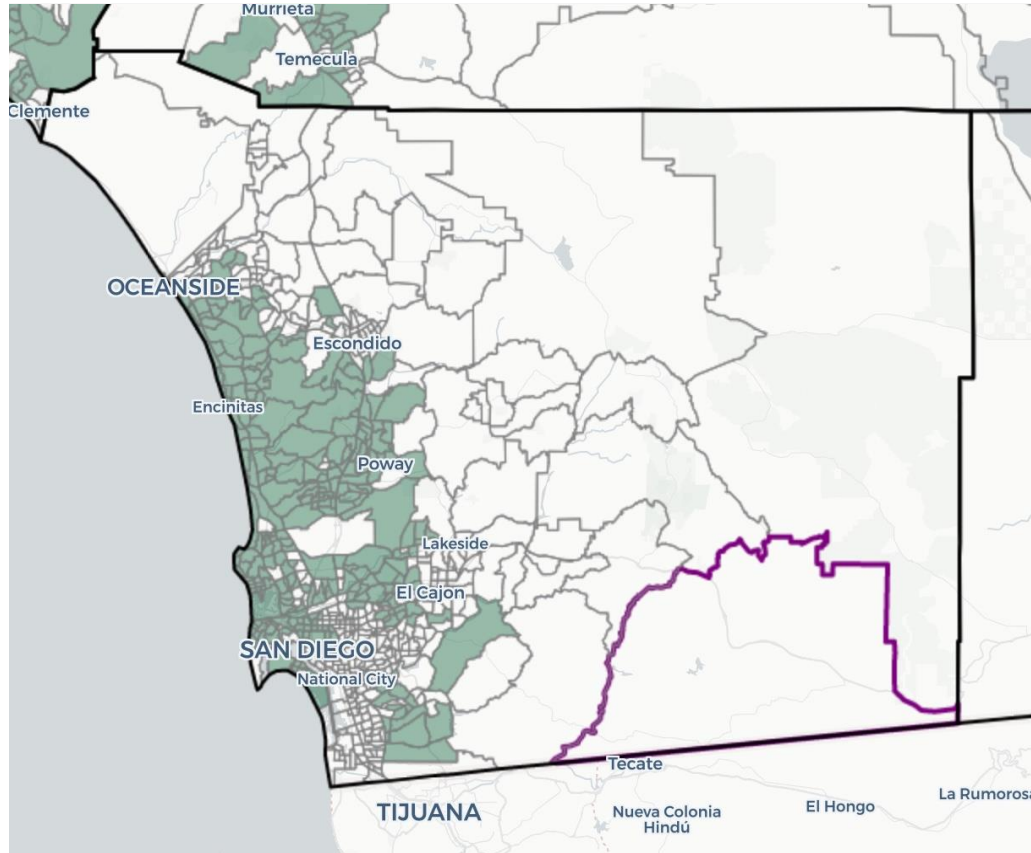


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San Diego County Community Landscape



2017 Demographics of San Diego County

High-opportunity zones as priority sites for zoning reform to promote locations for affordable housing.



Building Upon Where You Have Started



Baseline Meeting Research

consisting of

- **Best practices review**
- County reports & documents



Best Practices Research Strategy



- **Research Question:** What are the key best practices from local governments' offices of racial equity?
 - Externally focused offices
- **Key Selection Criteria:** Which places have we prioritized learning from? How do they articulate their mission statements and goals?
 - Places that have been highlighted by key organizations: GARE, 100 Living Cities, National League of Cities, National Mayors Council, New America, Resilient Cities, foundations with place-based projects (Robert Wood Johnson Foundation, Annie. E. Casey, Kellogg)
 - Places that compare with San Diego
 - Transborder metropolis
 - High homelessness (*only county in CA with reduced population in past 4 years*)
 - High number of foreign born residents
 - Similar population size
 - Population growth due to historically marginalized groups



Project Updates



Baseline Meeting Research

consisting of

- Best practices review
- **County reports & documents**



County Reports & Documents



Government Documents

service provision for differently situated groups

- County of San Diego Diversity & Inclusion Fiscal Year Report
- Strategic Plan for Diversity & Inclusion
- Organizational Chart
- Job Description for ED
- Live Well Communities Report, Health and Human Services Agency
- Diversity and Inclusion Initiative
- CAFRs
- General Plan 2020, San Diego Forward: The Regional Plan
- Smart Growth in the San Diego Region



San Diego County Reports & Documents



Non-profit private agencies

- Hunger
 - San Diego Hunger Coalition
 - Local mutual aid groups
 - Hunger Free San Diego
 - Feeding San Diego
- Housing
 - Interfaith Shelter Network of San Diego
 - Interfaith Community Services
- Faith-based
 - Interfaith Community Centers
- Health/Public Health
- Community Public Safety



San Diego County Reports & Documents



Non-profit private agencies *(cot'd)*

- Multi-sector
 - Alliance San Diego
 - Leadership California
 - Black American Political Association of CA--San Diego
 - Urban League of San Diego County
 - United Way of San Diego
 - NAACP San Diego
 - South Bay Forum
- LGBTQIA
 - San Diego LGBT Community Center
- Labor/Employment
 - SEIU San Diego
- San Diego Domestic Violence Council
- Southern Border Communities Coalition
- North County Equity and Justice Coalition
- Encinitas 4 Equality Coalition
- Poway Interfaith Team



San Diego County



Community & Business Thought Leaders

Non-profit Private Organizations

- San Diego Regional Chamber of Commerce
 - Asian Business Association Small Business Development Center (ABASD SBDC)
 - Central San Diego Black Chamber of Commerce
 - Mira Mesa Chamber of Commerce
 - Old Town Chamber of Commerce
 - Otay Mesa Chamber of Commerce
 - Peninsula Chamber of Commerce
 - North San Diego Business Chamber
 - San Diego Regional Chamber of Commerce
 - San Ysidro Chamber of Commerce
- San Diego & Imperial Small Business Development Center
- Central San Diego Black Chamber of Commerce
- Alliance SBDC
- San Diego County Hispanic Chamber of Commerce



County Reports & Documents



COVID Service Provision

service provision for differently situated groups

- Hunger
 - capacity
- Housing
 - rental assistance/aid, eviction/foreclosure
- Health/Public Health
 - testing, treatment, access
- Employment
 - assistance



Co-creation = An Invitation for Your Input



Othering
& Belonging
Institute

Identifying an audience for meetings, status reports, & “survey 2”

Baseline & Horizon Meetings

B: discuss best practices, document review, synthesis community status

H: collectively shape principles and base language for draft #1 mission statement

Community Survey

Gather feedback on draft #1 mission statement

4 Focus Groups

Gather feedback on draft #1 mission statement

Priya and Jess following up with 1-1 conversations & form to add organizations/contacts for “survey 2”



Questions?



Agenda



Meeting Purpose

Our Journey & Timeline

Existing information on County concerns of equity

Wrap Up

Checkout Reflection



Schedule Outline



Baseline Meeting

January 14 or 15

Horizon Meeting

January 27, 28, or 29

Community Survey

February 8-12

Ad-Hoc Meetings

2x/month

HRC Meetings

December, January, February

1:1 Conversations

December



Agenda



Meeting Purpose

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Wrap Up

Checkout Reflection

The background image shows a vibrant city park scene. In the foreground, a large, multi-tiered fountain with numerous water jets is in full operation, creating a dynamic and refreshing atmosphere. The water is captured in mid-air, forming a misty spray. Behind the fountain, a wide, paved walkway leads towards a large, classical-style building with a prominent portico supported by tall columns. The building has a reddish-brown tiled roof. To the left of the building, there are several young trees with green foliage. In the distance, a modern skyscraper with a glass facade is visible against a clear blue sky. A few people can be seen walking along the path, adding a sense of life and activity to the scene.

Adoption of 2021 Regular Meeting Schedule

Agenda Item 8

2021 Proposed Meeting Dates - - 10:00 a.m. to 12:00 pm

- **Thursday**, January 7th, 2021
- Tuesday, January 19th, 2021
- **Thursday**, February 4th, 2021
- Tuesday, February 23rd, 2021
- **Thursday**, March 4th, 2021
- Tuesday, March 23rd, 2021
- Tuesday, April 27th, 2021
- Tuesday, May 25th, 2021

- Tuesday, June 22nd, 2021
- Tuesday, July 27th, 2021
- Tuesday, August 24th, 2021
- Tuesday, September 28th, 2021
- Tuesday, October 26th, 2021
- Tuesday, November 9th, 2021
- Tuesday, December 14th, 2021





Thank you to our outgoing
Commission Members

Agenda Item 9



■ District 1

- Ryan Garcia
- Enrique Morones
- Daphyne Watson

■ District 2

- Austin Jones
- Vincent Kattoula
- Kenya Taylor

■ District 3

- Kate Chasin
- Shane Harris
- Gina Roberts

Thank you!



Communication received from the
City of San Diego
Human Relations Commission

Agenda Item 10

Adjourn

Thank you for attending.

